

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Robert Joseph Cielakie

PRINCIPAL

Case Number:

Ct. 1

YOB: 1974

United States

M-22- 00236 -M

Luis Ernesto Ramirez-Mejia

CO-PRINCIPAL

United States Courts Southern

Ct. 1, Ct. 2

YOB: 1987

Mexico

District of Texas

Silverio Moreno-Calderon

CO-PRINCIPAL

FILED

Ct. 1, Ct. 2

YOB: 1994

Mexico

2/3/2022

(Name and Address of Defendant)

Nathan Ochsner, Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 2, 2022 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

Ct. 1 knowing or in reckless disregard of the fact that Maynor Jose Ramirez-Tista, a citizen and national of Guatemala, along with two (2) other undocumented aliens, for a total of three (3), who had entered the United States in violation of law, did knowingly conspire to transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Mission, Texas to the point of arrest in Mission, Texas,

Ct. 2 knowing or in reckless disregard of the fact that Miguel Tzoy-Ixchop, a citizen and national of Guatemala, along with twenty-three (23) other undocumented aliens, for a total of twenty-four (24), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit; a residence located in Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii), 1324(a)(1)(A)(iii) & 1324(a)(1)(A)(v)(I)

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On ~~January~~ ^{February} 2, 2022, Border Patrol Agents were conducting surveillance of a residence located in Mission, Texas, herein referred to as the Target Location (TL). Agents observed a black Nissan Pathfinder arrive at the TL. Agents observed a white older male (later identified as Robert Joseph Cielakie) exit the black Pathfinder. Moments later a male subject wearing a black sweater (later identified as Silverio Moreno-Calderon) exited the TL and approach the driver near the black Pathfinder. Both subjects were seen talking for a few minutes and were observed opening the back passenger doors and rear door. Both subjects were also seen moving boxes and suitcases from one side to the other.

Moments later, Silverio Moreno-Calderon was observed going inside the apartment and coming back outside with two females and one male subject. Cielakie and Moreno-Calderon were observed talking to the three subjects before the two females and the male entered the black Pathfinder. Cielakie and Moreno-Calderon were also seen putting bags and a white quilt on top of the subjects in the black Pathfinder.

Continued on the attached sheet and made a part of this complaint:
Complaint Authorized by AUSA A. Castro

☒ Yes ☐ No

/S/ Christian Salmon

Signature of Complainant

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

Christian Salmon Border Patrol Agent

Printed Name of Complainant

February 3, 2022 @ 8:48 p.m.
Date

at McAllen, Texas
City and State

Juan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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**RE: Robert Joseph Cielakie
Luis Ernesto Ramirez-Mejia
Silverio Moreno-Calderon**

CONTINUATION:

While both subjects were going back and forth trying to conceal the subjects an additional male (later identified as Luis Ernesto Ramirez-Mejia) approached the Pathfinder and was observing how they were concealing the two females and the male. Ramirez-Mejia was also observed going towards the mailbox and retrieve some mail.

Agents then observed the black Pathfinder departing the TL. Agents contacted Hidalgo County Sheriff's Office (HCSO) and requested assistance with the investigation. HCSO Deputy observed the black Pathfinder on Conway and Frontage Rd. in Mission, Texas. HCSO Deputy conducted a traffic stop for a Failure to stop at designated point. Agents approached the driver and identified themselves and ask him if he was alone in the vehicle. The driver stated that he had three subjects hiding in the back of the Pathfinder. Agents then were able to observe one female hiding inside a blue bin that was covered with a white quilt. The other female was hiding in the cargo area. One male subject was hiding behind the driver and passenger seat. After an immigration inspection the driver was determined to be a United States citizen. The three subjects hiding in the black Pathfinder were determined to be illegally present in the United States.

Once at the TL Agents and Deputies conducted a knock and talk. A male subject opened the door from the inside. Agents and Deputies observed multiple people from one bedroom across the front door and advised them to come out. A total of eight subjects freely exited the residence. All subjects were questioned as to their immigration status, and it was determined they were illegally present in the United States. Several subjects that exited the residence forgot their belongings inside. Agents escorted the subjects one by one inside to retrieve their belongings and observed fifteen more subjects inside another bedroom. All fifteen subjects were determined to be illegally present in the United States. Among these subjects, Silverio Moreno-Calderon and Luis Ernesto Ramirez-Mejia were encountered.

Three principals and two material witnesses were transported to the McAllen Border Patrol Station for case preparation and processing.

PRINCIPAL STATEMENT: Robert Joseph Cielakie

Robert Joseph Cielakie, a United States citizen, was read his Miranda rights in the English language. Cielakie understood his rights and agreed to provide a statement.

Cielakie stated he obtained a vehicle from an acquaintance in Houston, Texas with the intent to transport illegal aliens. Cielakie further stated he agreed to transport four illegal aliens and was to be paid \$1,500 to \$2,000 per person upon arrival to their destination but only picked up three. Cielakie admitted he has transported illegal aliens on four prior occasions and was given instructions as to pick up locations and methods on how to evade law enforcement detection.

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Silverio Moreno-Calderon**

CONTINUATION:

Cielakie was presented a photo lineup and identified Luis Ernesto Ramirez-Mejia as the man in charge of the residence. On a separate photo lineup, Cielakie also identified Silverio Moreno-Calderon as the man who helped load illegal aliens into his vehicle.

PRINCIPAL STATEMENT: Luis Ernesto Ramirez-Mejia

Luis Ramirez-Mejia, a citizen and national of Mexico, was read his Miranda rights in the Spanish language. Ramirez-Mejia understood his rights and agreed to provide a statement.

Ramirez-Mejia freely admitted being illegally in the United States, and indicated he illegally crossed the Rio Grande River on December 22, 2021. Ramirez-Mejia stated he has been living at the residence where he was apprehended since the day he crossed. Ramirez-Mejia denied being in charge or being the caretaker. He stated he cooked for all the other illegal aliens at the residence.

Ramirez-Mejia identified Silverio Moreno-Calderon as the subject that helped him cook and went to buy food several times.

PRINCIPAL STATEMENT: Silverio Moreno-Calderon,

Silverio Moreno-Calderon, a citizen and national of Mexico, was read his Miranda rights in the Spanish language. Moreno understood his rights but was unwilling to provide a statement without the presence of an attorney.

MATERIAL WITNESS STATEMENT: Jose Maynor Ramirez-Trista

Jose Maynor Ramirez-Trista, a citizen and national of Guatemala, was read his Miranda rights in the Spanish language. Ramirez-Trista understood his rights and agreed to provide a sworn statement.

Ramirez-Trista stated he has been living in Reynosa, Mexico for the last five years. He also stated his mother made the arrangements for him to be smuggled into the United States and was unaware of the cost for the arrangements. Ramirez-Trista stated last Sunday he crossed into the United States with several other subjects and was transported to the residence where he was apprehended. Ramirez-Trista stated a male subject instructed all the illegal aliens to put their cellphones in a box. He also stated the same subject gave everyone instructions on when they would eat.

Ramirez-Trista identified Robert Joseph Cielakie through a photo lineup, as the driver who transported him to the residence.

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CONTINUATION:

Ramirez-Trista identified Silverio Moreno-Calderon as one of the caretakers that instructed him to leave the residence and to get into the vehicle. Ramirez-Trista also indicated Silverio Moreno-Calderon would tell them when to eat and would allow them to go to the restroom.

MATERIAL WITNESS STATEMENT: Miguel Tzoy-Ixchop, Guatemala

Miguel Tzoy-Ixchop, a citizen and national of Guatemala, was read his Miranda rights in the Spanish language. Tzoy understood his rights and agreed to provide a sworn statement.

Tzoy told Agents he crossed the Rio Grande River with four other people, two being foot guides. Tzoy stated he made his own smuggling arrangements and paid \$12,000 to date. Tzoy claimed after being led through the brush to a road, he was transported to a house for a few hours and then to the apartment where he was arrested. Tzoy stated at the residence a male subject took his phone away and instructed him to enter a bedroom with the other nine people. Tzoy indicated this man was called "El Guero". Tzoy added this man would tell other people in the house that they needed more money for the trip. Tzoy stated another subject helped keep people inside the house and would assign chores in the residence. Tzoy stated this second subject was called "El Gordo".

Tzoy identified Silverio Moreno-Calderon, through a photo lineup, as "El Gordo" and one of the caretakers of the residence.

Tzoy identified Luis Ramirez-Mejia, through a photo lineup, as "El Guero" also one of the caretakers of the house.